

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of BENITO JAYVON JACOB,
Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

SHATOYA FWE JACOB,

Respondent-Appellant,

and

BENITO CADENA STOKES III,

Respondent.

In the Matter of BENITO JAYVON JACOB,
Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

BENITO CADENA STOKES III,

Respondent-Appellant,

and

SHATOYA FWE JACOB,

Respondent.

UNPUBLISHED
February 15, 2005

No. 257168
Wayne Circuit Court
Family Division
LC No. 03-423915-NA

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Before: Fort Hood, P.J., and Griffin and Donofrio, JJ.

MEMORANDUM.

In these consolidated appeals, respondents appeal as of right from the trial court's order terminating their parental rights in their infant son pursuant to MCL 712A.19b(3)(j). We affirm. These appeals are being decided without oral argument pursuant to MCR 7.214(E).

The trial court did not clearly err in determining that the statutory ground was established by clear and convincing evidence. MCR 3.977(J); *In re JK, Minor*, 468 Mich 202, 209; 661 NW2d 216 (2003). The nearly three-month-old baby had suffered several broken bones and had been bruised on his face and neck. The testimony of three physicians, independent medical testing of the baby, and the testimony of respondents themselves establish that the child was physically abused and that the injuries were not accidental. Thus, there was sufficient credible evidence, evidence that was legally admissible, that this child would be harmed if he was returned to the care and custody of his parents. MCL 712A.19b(3)(j).

Furthermore, given the very young age of the child, the number and severity of his injuries, and respondents' unstable relationship, the trial court did not clearly err in determining that it was not against the child's best interests to terminate respondents' parental rights. MCL 712A.19b(5).

Affirmed.

/s/ Karen Fort Hood
/s/ Richard Allen Griffin
/s/ Pat M. Donofrio